

House File 2157 - Introduced

HOUSE FILE 2157
BY HANSON

A BILL FOR

1 An Act providing for signs or decals identifying the motor
2 vehicles of certain novice drivers and making a penalty
3 applicable.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.180B, subsection 1, Code Supplement
2 2009, is amended to read as follows:

3 1. *Instruction permit.*

4 a. The department may issue an instruction permit to an
5 applicant between the ages of fourteen and eighteen years if
6 the applicant meets the requirements of sections 321.184 and
7 321.186, other than a driving demonstration, and pays the
8 required fee. An instruction permit issued under this section
9 shall be valid for a period not to exceed four years from the
10 licensee's birthday anniversary in the year of issuance. A
11 motorcycle instruction permit issued under this section is not
12 renewable.

13 b. Subject to the limitations in this subsection, an
14 instruction permit entitles the permittee, while having the
15 permit in the permittee's immediate possession, to operate a
16 motor vehicle other than a commercial motor vehicle or as a
17 chauffeur or a motor vehicle with a gross vehicle weight rating
18 of sixteen thousand one or more pounds upon the highways.

19 c. (1) Except as otherwise provided, a permittee who
20 is less than eighteen years of age and who is operating
21 a motor vehicle must be accompanied by a person issued a
22 driver's license valid for the vehicle operated who is the
23 parent, guardian, or custodian of the permittee, member of
24 the permittee's immediate family if the family member is at
25 least twenty-one years of age, an approved driver education
26 instructor, a prospective driver education instructor who is
27 enrolled in a practitioner preparation program with a safety
28 education program approved by the state board of education,
29 or a person at least twenty-five years of age if written
30 permission is granted by the parent, guardian, or custodian,
31 and who is actually occupying a seat beside the driver. A
32 ~~permittee shall not operate a motor vehicle if the number of~~
33 ~~passengers in the motor vehicle exceeds the number of passenger~~
34 ~~safety belts in the motor vehicle. If the applicant for an~~
35 ~~instruction permit holds a driver's license issued in this~~

1 ~~state valid for the operation of a motorized bicycle or a~~
2 ~~motorcycle, the instruction permit shall be valid for such~~
3 ~~operation without the requirement of an accompanying person.~~

4 (2) ~~However, if~~ If the permittee is operating a motorcycle
5 in accordance with this section, the accompanying person must
6 be within audible and visual communications distance from
7 the permittee and be accompanying the permittee on or in a
8 different motor vehicle. Only one permittee shall be under the
9 immediate supervision of an accompanying qualified person.

10 (3) If the applicant for an instruction permit holds a
11 driver's license issued in this state valid for the operation
12 of a motorized bicycle or a motorcycle, the instruction permit
13 shall be valid for such operation without the requirement of
14 an accompanying person.

15 d. A permittee shall not operate a motor vehicle if the
16 number of passengers in the motor vehicle exceeds the number of
17 passenger safety belts in the motor vehicle.

18 e. A permittee shall not be penalized for failing to have
19 the instruction permit in the permittee's immediate possession
20 if the permittee produces in court, within a reasonable time,
21 an instruction permit issued to the permittee and valid at the
22 time of the permittee's arrest or at the time the permittee
23 was charged with failure to have the permit in the permittee's
24 immediate possession.

25 f. A permittee operating a motor vehicle other than a
26 motorcycle or motorized bicycle shall display, on the rear
27 window of the motor vehicle, a removable sign or decal issued
28 by the department indicating that the driver of the motor
29 vehicle is a novice driver. The department shall design a
30 novice driver sign or decal, or both, and adopt rules providing
31 for their use. The department may charge a reasonable fee for
32 issuance of novice driver signs or decals. A permittee may be
33 issued more than one such sign or decal upon payment of the
34 required fee for each sign or decal.

EXPLANATION

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2 This bill requires a person under 18 years of age who is
3 driving under an instruction permit to display a novice driver
4 sign or decal in the rear window of the motor vehicle. The
5 department of transportation is directed to design a removable
6 novice driver sign or decal, or both, and to provide by rule
7 for the use of the sign or decal. The department is authorized
8 to charge a reasonable fee for the signage and to issue more
9 than one sign or decal to a permittee.

10 A person who fails to display the required novice driver
11 sign or decal while operating a motor vehicle would be guilty
12 of a violation of Code section 321.180B relating to graduated
13 driver's licenses. Pursuant to current law, a violation of
14 that section is a simple misdemeanor punishable by a scheduled
15 fine of \$30.

16 The bill also makes technical revisions to better organize
17 the portion of Code section 321.180B relating to instruction
18 permittees.